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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

ROBERT CEVASCO, on behalf of Allegiant
401(k) Retirement Plan, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

ALLEGiant TRAVEL COMPANY

Defendant.

CASE NO.: 2:22-cv-01741-JAD-EJY

**STIPULATION TO EXTEND
DEADLINE FOR DEFENDANT TO
RESPOND TO PLAINTIFF'S
COMPLAINT AND PROPOSED
BRIEFING SCHEDULE**

(FIRST REQUEST)

ECF No. 6

IT IS HEREBY STIPULATED by and between Defendant, Allegiant Travel Company, and Plaintiff Robert Cevasco, by and through their respective counsel, to extend the deadline for Defendant to respond to Plaintiff's Complaint (ECF No. 1) and set a briefing schedule for Defendant's anticipated motion to dismiss, Plaintiff's opposition, and Defendant's reply. This Stipulation is submitted and based upon the following:

1 On October 17, 2022, Plaintiffs filed a Class Action Complaint (ECF No. 1) and served
2 Defendant on October 26, 2022, making Defendant's responsive pleading in this class action case
3 due on November 16, 2022.

4 Given the complexity of the case, the parties agreed jointly to request an extension of
5 Defendant's pleading deadline by 60 days, through and including January 13, 2023.

6 Moreover, after consultations among the Parties, Defendant will file a Motion to Dismiss.
7 Thus, the Parties have stipulated to and request the Court approve the following briefing schedule:

8 **PROPOSED SCHEDULE**

- 9 1. January 13, 2023 – Deadline for Defendant to file responsive pleadings.
- 10 2. January 13, 2023 – Deadline for Defendant to file its Motion to Dismiss.
- 11 3. January 27, 2023 – Deadline for Plaintiffs to file a Response (Opposition) to Motion
12 to Dismiss.
- 13 4. February 17, 2023 – Deadline for Defendant to file a Reply in Support of Motion to
14 Dismiss.

15 This is the first request for an extension of time for Defendant to file a response to Plaintiffs'
16 Complaint and to set a briefing schedule on Defendant's anticipated motion to dismiss.

17 This request is made in good faith and not for the purpose of delay.

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Nothing in this Stipulation, nor the fact of entering to the same, shall have the effect of or be construed as waiving any claim or defense held by any party hereto.

Dated: November 14, 2022

/s/ Deverie J. Christensen

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ORDER

IT IS SO ORDERED:



United States District Court Judge

Dated: 11-14-22